

"PATENT"

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
WALTER KELLER	)	
	)	Group Art Unit: Unknown
SERIAL NO.: 10/528,284	)	
	)	
FILED: 16 March 2005	)	Examiner: Unknown
	)	
FOR: METHOD FOR AUTOMATICALLY	)	
HANDLING UNDESIRE ELECTRONIC	)	
MAIL IN COMMUNICATION	)	
NETWORKS AT THE RECIPIENT END	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

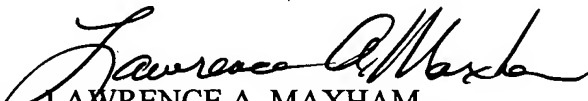
**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371 IN THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)**

This document is submitted in response to the RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS, dated 3 August 2005.

Transmitted herewith is the duly executed Declaration for Patent Application, and Power of Attorney, together with the required fee.

The Commissioner is hereby authorized to charge any fees that arise in connection with this filing which are not covered by the money enclosed, or credit any overpayment, to Deposit Account No. 02-0460.

Respectfully submitted,  
WALTER KELLER

By:   
LAWRENCE A. MAXHAM  
Attorney for Applicant  
Registration No. 24,483

**THE MAXHAM FIRM**  
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Rec'd PCT/PTO

10/528,284  
29 AUG 2005

Rec'd PCT/PTO 29 AUG 2005  
#4

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/528,284
	Filing Date	16 March 2005
	First Named Inventor	Walter Keller
	Art Unit	
	Examiner Name	
	Attorney Docket Number	0740-70

ENCLOSURES
<ol style="list-style-type: none"><li>1. Fee Transmittal (PTO/SB/17) (1 page);</li><li>2. Copy of Notification of Missing Requirements Under 35 U.S.C. 371 (2 pages);</li><li>3. Response to Notification of Missing Requirements (2 pages);</li><li>4. Declaration (2 pages);</li><li>5. Power of Attorney (1 page);</li><li>6. Check in the amount of \$130;</li><li>7. Return Postcard.</li></ol>

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	The Maxham Firm Lawrence A. Maxham, Reg. No. 24,483
Signature	<i>Lawrence A. Maxham</i>
Date	25 August 2005

CERTIFICATE OF MAILING/TRANSMISSION UNDER 37 CFR 1.8			
I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office (USPTO) or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Typed or printed name	Lawrence A. Maxham, Reg. No. 24,483		
Signature	<i>Lawrence A. Maxham</i>	Date	25 August 2005

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**FEE TRANSMITTAL**  
**For FY 2005**☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$ ) 130**Complete if Known**

Application Number 10/528,284

Filing Date 16 March 2005

First Named Inventor Walter Keller

Examiner Name

Art Unit

Attorney Docket No. 0740-70

**METHOD OF PAYMENT (check all that apply)**☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):☐ Deposit Account Deposit Account Number: 02-0460 Deposit Account Name: The Maxham Firm

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
- 20 or HP =	x	=				
HP = highest number of total claims paid for, if greater than 20						
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)			
- 3 or HP =	x	=				
HP = highest number of independent claims paid for, if greater than 3						

09/02/2005 ATRAN1 00000117 10528284

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other: Response to Notification of Missing Requirements

Fees Paid (\$)

\$130

**SUBMITTED BY**

Signature

Lawrence A. Maxham

Registration No.  
(Attorney/Agent)

24,483

Telephone

619-233-9004

Name (Print/Type)

Lawrence A. Maxham, Esq.

Date

25 August 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**RECEIVED PCT/PTO**

**29 AUG 2005 DOCKETED**



UNITED STATES PATENT AND TRADEMARK OFFICE

**AUG 19 2005**

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 107  
Alexandria, Virginia 22315-1070  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/528,284	FIRST NAMED APPLICANT Walter Keller	ATTY. DOCKET NO. 0740-70
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INTERNATIONAL APPLICATION NO. PCT/DE03/03094
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I.A. FILING DATE 09/17/2003	PRIORITY DATE
--------------------------------	---------------

The Maxham Firm  
750 B Street  
Suite 3100  
San Diego, CA 92101

**RECEIVED**

**AUG 11 2005**

**THE MAXHAM FIRM**

**CONFIRMATION NO. 6605**  
**371 FORMALITIES LETTER**  
  
\*OC000000016668302\*

Date Mailed: 08/03/2005

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/16/2005
- Copy of Annexes to the IPER filed on 03/16/2005
- Preliminary Amendments filed on 03/16/2005
- Request for Immediate Examination filed on 03/16/2005
- U.S. Basic National Fees filed on 03/16/2005
- Substitute Specification filed on 03/16/2005
- Priority Documents filed on 03/16/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/528,284	PCT/DE03/03094	0740-70

FORM PCT/DO/EO/905 (371 Formalities Notice)